

REMARKS

Claims 1-4, 19, 22, 36-39, and 57-60 have been amended, claims 5, 40, and 61 have been cancelled without prejudice or disclaimer, and claims 1-4, 6, 19, 21-23, 36-39, 57-60, 62, and 75 are pending and under consideration. Claims 2-4, 22, 37-39, and 58-60 have been rewritten in independent form to include all the limitations of the independent claims from which they depend as originally filed. No new matter is presented in this Amendment.

CLAIM OBECTIONS:

Claims 5, 40, and 61 are objected to as failing to further limit the claim from which they depend. Claims 5, 40, and 61 have been cancelled without prejudice or disclaimer; the objection is thus moot.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 2, 5, 6, 19, 21-23, 36, 37, 40, 57, 58, 61, 62 and 75 are rejected under 35 U.S.C. §102(b) as being anticipated by Tanoue et al. (U.S. Patent 6,657,937). Claims 5, 41, and 60 have been cancelled without prejudice or disclaimer; the rejections of claims 5, 41, and 60 are thus moot.

As to claim 1, the Examiner construes the second recognizer as corresponding to the header fields HF3 and/or HF4 disclosed in Tanous. However, the HF3 and HF4 fields are not located immediately following a pattern used for a phase-lock loop. The HF3 field and the HF4 field are located immediately after the PA2 field of the HF2 field and the PA3 field of the HF4 field, respectively. The PA2 field and the PA3 field includes state information necessary for demodulation (col. 5, lines 61-62), not a pattern used for a phase-lock loop. The address mark included in the HF3 and HF4 fields, which occurs after a VFO field, cannot correspond to the second recognizer because the address marks do not include a head closing mark that marks the closing of the head. Rather, the address marks indicates the recording position of address data of a PID (Physical ID) field (col. 5, lines 33-35). Accordingly, Tanoue does not disclose all the limitations of claim 1, and the rejection of claim 1 should be withdrawn. The rejections of independent claims 19, 36, and 57 should be withdrawn for at least similar reasons.

Claims 6, 21-23, 62, and 75 depend from claims 1, 19, 36, and 57. The rejection of these claims should be withdrawn for at least the reasons given above with respect to claims 1, 19, 36, and 57.

Claims 2, 37, and 58 recite wherein the recording unit further comprises a tail which is arranged (or disposed) behind the body and includes a third recognizer. In the Office Action mailed January 23, 2008, the Examiner did not respond to the arguments presented by the applicant with respect to these claims, and in particular claim 2, instead limiting his response to the applicant's amendments to claim 1. The applicants maintain that Tanoue does not disclose wherein the recording unit further comprises a tail which is arranged behind the body and includes a third recognizer. Tanoue discloses that each sector comprises a header field, a mirror field, and a recording field (col. 4, lines 60-62). The recording field serves as a field in which user data is recorded (col. 5, lines 66-67). Nowhere does Tanoue disclose that a sector includes a tail arranged behind the body. The elements disclosed by Tanoue that the Examiner construes as corresponding to the tail (the postamble PA3, guard 2, and buffer field) are disclosed as part of the recording field (which the Examiner construes as corresponding to the body), not as part of a tail arranged behind the recording field. FIG. 4 clearly discloses that these elements are part of the recording field, not part of a separate tail. Tanoue thus does not disclose wherein the recording unit further comprises a tail which is arranged behind the body and includes a third recognizer.

ALLOWABLE SUBJECT MATTER:

Claims 3, 4, 38, 39, 59, and 60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been rewritten in independent form to include all the limitations of the independent claims from which they depended as originally filed, and are thus allowable.

CONCLUSION:

Applicants request entry of this response under 37 C.F.R. § 1.116 because the amendments should not entail any further search by the Examiner since the amendment(s) do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal by removing the Examiner's objections to claims 5, 40, and 61.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: _____

3/11/08

By: _____

G. CL

Gregory L. Clinton
Registration No. 59,134

1400 Eye St., N.W.
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510